

Appln. No.: 10/511,563
Amendment Dated March 27, 2008
Reply to Office Action of December 27, 2007

MAT-8606US

Amendments to the Drawings:

The attached sheets of drawings include changes to Figures 1-42. These sheets replace the original sheets.

Remarks/Arguments:

Claims 1-21 are pending.

Claims 1, 3, 6-8, 12-14 and 20 stand rejected, while claims 2, 4-5, 9-11, 15-19 and 21 are indicated to be allowable if properly rewritten into independent form.

Allowable Subject Matter

In the Office Action, at item 11, claims 2, 4-5, 9-11, 15-19 and 21 are indicated to be allowable if rewritten in independent form. Claims 2, 9, 15 and 21 have been rewritten into independent form to render claims 2, 4-5, 9-11, 15-19 and 21 allowable.

Reconsideration is respectfully requested.

Drawing Objections

In the Office Action, at item 3, the drawings are objected to because all blocks in Figs. 1-2, 7, 11-12, 16-17, 19, 36 and 41 should be labeled with descriptive legends based on 37 C.F.R. §1.84(o).

Replacement sheets for Figs. 1-42 are provided which are submitted to overcome this drawing objection.

In the Office Action, at item 4, Figs. 41 and 42 are objected to because they should be designated with a legend such as --Prior Art--.

Applicants have provided replacement sheets for Figs. 41 and 42 with such a legend to overcome this drawing objection.

Reconsideration is respectfully requested.

Claim Objections

In the Office Action, at item 6, claim 12 is objected to because of an informality therein.

Applicants have amended claim 12 to overcome this objection.

Reconsideration is respectfully requested.

Rejection of Claims 1, 3, 6, 13-14 and 20 under 35 U.S.C. §103(a)

In the Office Action, at item 8, claims 1, 3, 6, 13-14 and 20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Korpela (US Patent No. 6,961,573) in view of Noguchi et al. (US Patent No. 7,075,908, hereafter referred to as Noguchi). Applicants believe that the U.S. Patent No. for Korpela should properly be U.S. Patent No. 5,946,634 and that the Examiner has incorrectly indicated the U.S. Patent 6,961,573 to Moon et al. Accordingly, Applicants will argue this rejection based on the reference to U.S. Patent No. 5,946,634.

Claims 1, 3 and 13-14 have been cancelled without prejudice. Accordingly, it is submitted that the rejection of these claims is now moot.

Claim 6

Claim 6 is directed a mobile communication device, and recites:

the service-type recording section records a plurality of significances of a plurality of parameters representative of a plurality of characteristics of the service type, and

the interface decision section decides the at least one of the external interfaces by weighting using the plurality of significances.

Korpela Reference

In the Office Action, at page 5, the Examiner contends that Korpela discloses "*wherein the service-type recording section records a significance of a parameter representative of a characteristic of the service type, and the interface decision section decides and external interface on the basis of the significance* (for example see col. 7, lines 39-47; wherein selected types of session and protocol to use are chosen based on the cost and quality of service factors, e.g. '*significance of a parameter representative of characteristic of the service type*')," (italic in original). At the portion of Korpela cited by the Examiner, when the user wishes to initiate a session, the terminal control device 15 determines the type of session and selects the best available protocol to use. The choice of the protocol to be used may take into account the cost and quality of service factors. That is, Korpela does not disclose or suggest the use of a plurality of significances and more particularly, any such weighting using the plurality of significances. Instead, Korpela merely discloses that cost and quality of service (which

corresponds to the plurality of parameters recited in claim 6) may be taken into account in determining the best available protocol to use for a session.

Noguchi Reference

Noguchi discloses switching controllers 34 and 44 to control the switching to a circuit-switched network. The switching controllers of Noguchi may have a table for managing the correspondence between application types (or port numbers) and communication traffics so that an application-specific communication traffic can be identified (estimated) by referring to the table. When the switching controller 34 of the mobile computer determines that the communication between the client 1 and the server 2 is finished, the communication is switched back to a packet-switched network. The communication between the client 1 and the server 2 can be terminated by detecting that the client 1 disconnects a session between the application proxy 30 of the mobile computer 10 and itself. If a wireless LAN is made available to the user, he/she may usually want to switch from a previously-used WAN to the wireless LAN. The switching controller 34 is used to determine whether the new wireless data communication network (e.g., LAN) is an optimal one for all applications in terms of service charge. Thus, Noguchi, like Korpela, discloses the use of cost as a parameter to determine the type of communication network to be used. Noguchi, however, is silent regarding "an interface decision section that decides the at least one of the external interfaces by weighting using the plurality of significances," as required by claim 6. This is because, Noguchi at most discloses a single parameter and does not disclose or suggest any such weighting of a plurality of significances.

Accordingly, it is submitted that claim 6 patentably distinguishes over Korpela in view of Noguchi for at least the above-mentioned reasons.

Claim 20

Claim 20, which includes similar but not identical features to claim 6, is submitted to patentably distinguish over Korpela in view of Noguchi for at least the similar reasons to those of claim 6.

Rejection of Claims 7 and 8 under 35 U.S.C. §103(a)

In the Office Action, at item 9, claims 7 and 8 are rejected under 35 U.S.C. §103(a) as being unpatentable over Korpela in view of Noguchi in further view of Vazvan et al. (WO 96/28947, hereafter referred to as Vazvan).

Reconsideration is respectfully requested.

Claims 7 and 8, which include all of the limitations of claim 6, are submitted to patentably distinguish over Korpela in view of Noguchi for at least the same reasons as claim 6.

The addition of Vazvan does not overcome the deficiencies of Korpela in view of Noguchi. This is because, Vazvan does not disclose or suggest "the interface decision section decides the at least one of the external interfaces by weighting using the plurality of significances." Instead, Vazvan discloses a plurality of parameter to be optimized may include in addition to price and quality, the power required, data transfer rate of the connection, service availability and the need to use a different service. Vazvan further discloses that the terminal automatically selects the best network and service according to these parameters. In Vazvan, a terminal may carry out such optimization based on, for example, the data rate required by certain applications or during certain sessions, price of the connection, speed of the connection or services available in the area. (See Vazvan at page 10, line 12 to page 11, line 14). That is, Vazvan discloses the use of a plurality of parameters for selection of a service, but does not disclose details related to deciding an external interface by weighting using the plurality of significances. That is, Vazvan does not disclose or suggest the plurality of significances such that those significances can be weighted to decide the at least one of the external interfaces.

Accordingly, it is submitted that claims 7 and 8 patentably distinguish over Korpela and Noguchi in further view of Vazvan for at least the above-mentioned reasons.

Rejection of Claim 12 under 35 U.S.C. §103(a)

In the Office Action, at item 10, claim 12 is rejected under 35 U.S.C. §103(a) as being unpatentable over Korpela in view of Noguchi in further view of Streter (U.S. Patent No. 6,456,858).

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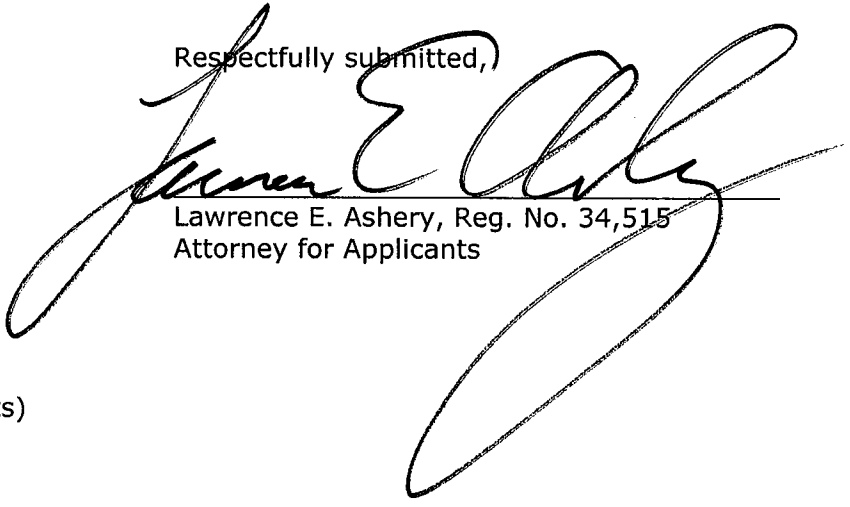
It is submitted that claim 2 has been properly rewritten into independent form to render claim 12 from which it depends to also be allowable.

Reconsideration is respectfully requested.

Conclusion

In view of the claim amendments and remarks, Applicants submit the application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,



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Attachments: Figures 1-42 (30 sheets)

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